

REMARKS

1. Claims 17, 19-20 Allowed

Applicants gratefully acknowledge that the Examiner has allowed independent claims 17, 19, and 20.

2. Objection to the Specification

Applicants note that box 9 “The specification is objected to by the Examiner” was checked off in the Office Action. The Examiner requested Applicants’ cooperation in correcting any errors in the specification. The application has been reviewed and Applicants are currently not aware of any errors in the specification, other than those previously identified in the Preliminary Amendment dated August 8, 2001. Therefore, Applicants respectfully request that the objection to the specification be withdrawn.

3. Claim Rejections – 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected claims 1-3, 5, 8, 10, and 14-16 as anticipated by the prior art under 35 U.S.C. § 102(b). Applicants respectfully request reconsideration of Claims 1-3, 5, 8, 10, and 14-16, including independent claims 1 and 14.

On page 2 of the current Office Action, the Examiner stated that independent claims 1 and 14 included only “minimal structural limitations.” On page 4, the Examiner also noted that the prior art of record fails to teach or render obvious a syringe comprising “at least one aperture which extends longitudinally within the plunger tip portion from distally of the seal member to proximally [thereof] passing under the seal member wherein the aperture is sufficiently small to inhibit passage of viscous material however also for defining an air escape vent.”

Independent claim 1 has been amended to include further structural limitations. Specifically, independent claim 1 has been amended to require that the viscoselective high pressure seal associated with the plunger comprise “a seal member, wherein at least one aperture extends longitudinally within the tip portion of the plunger from distally of the seal member to proximally thereof and passing under the seal member, the aperture being

sufficiently small to inhibit passage of viscous material.” Therefore, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn.

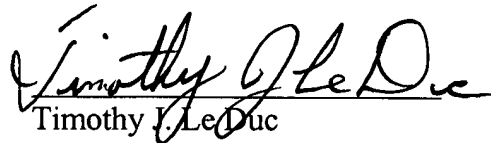
Independent claim 14 has been amended to include further structural limitations. Specifically, independent claim 14 has been amended to require that the distal tip portion of the plunger adapted to define a viscoselective high pressure seal comprise “a circumferential seal seat just proximally of a distal end thereof in which is disposed a seal member, the seal seat has a geometry that provides for escape of air between the seal member and the seat bottom surface.” Therefore, Applicants respectfully request that the rejection of claim 14 under 35 U.S.C. § 102(b) be withdrawn.

Dependent claims 2-3, 5, 8, and 10 depend upon claim 1. Dependent claims 15-16 depend upon claim 14. Therefore, Applicants respectfully submit that the Examiner’s rejections pursuant to 35 U.S.C. § 102(b) have been overcome.

SUMMARY

Applicants respectfully submit that all of the pending claims are in condition for allowance and seek allowance thereof. If for any reason the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, the Examiner is respectfully requested to call the undersigned at (312) 321-4277.

Respectfully submitted,

A handwritten signature in cursive script, reading "Timothy J. LeDuc", written over a horizontal line.

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